

**CALL TO ORDER**

Mayor Bischoff opened the meeting at 7:00 p.m.

**“Sunshine Law” Announcement:** Adequate notice of this public meeting has been provided by the Annual Notice; mailed electronically to the Hunterdon Democrat and Courier News; posted on the public bulletin board and on file in the Municipal Clerk’s Office.

**FLAG SALUTE**

**ROLL CALL** Present: Mr. Severino, Mr. Mazza, Mrs. Dziubek, Mr. Bischoff

Absent: Ms. McBride

Others Present: J. Peter Jost, Esq., Grace Brennan, CFO; Bob Clerico, Township Engineer; and Ella M. Ruta, Clerk

**APPROVAL OF PRIOR MEETING MINUTES**

- a. Regular and Executive Session Meeting Minutes of April 6, 2011

Mr. Bischoff had changes to the Regular Minutes as follows: p. 2 change “Wm. C. Vicker” to “Wm. Cvicker”. On P. 9 add to the Mayor’s Report “which were construction debris and beer cans”. P. 10 change “Mr.” to “Commissioner.” P. 11, first paragraph, change “Mr. Mazza” to “Mr. Severino”. Mr. Mazza corrected his Committee Report on P.10, replace “Pipe is ok, no collapse.” with “The pipe will be inspected for integrity.”

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried with corrections.

Minor correction to Executive Session will be made in Executive Session

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

**VISITORS**

Representative from Williams Transco Pipeline – Came last night.

Trooper Flynn distributed copies of “Response Volume per Call Code” Report for March 2011. Discussion of several of the call codes.

Frank Castellano, UT Stewardship Committee.

**REPORTS RECEIVED**

- Road Dept - Weeks Ending 4/01/11; 4/08/11
- Engineer's Report
  - Perryville Road Project – Gave overview of the timetable details for advertising, bids and Ordinance.
  - Pattenburg Quarry - Upgraded soil erosion and anti-tracking devices. Installed a self contained automatic tire washing unit and did some patching of the access road.
  - Frontage Road near Foster Wheeler. DOT emailed reply they will look at it. There is heaving between concrete and road surface.

## CORRESPONDENCE/WRITTEN COMMUNICATIONS

Mr. Severino mentioned the following correspondence:

- HC Soil Conservation District Re: Pattenburg Quarry, Restoration & Demolition, B1.08, L22.  
Mr. Clerico covered this correspondence.
- NJ DEP, Green Acres Project #1025-02-075 Approved.  
Department of Environmental Protection and the Garden State Preservation Trust (GSPT) have approved Union Township's application for a Green Acres matching grant of \$450,000.
- Mayor's Advisory – Re: New Financial Disclosure Reporting Requirements.  
Reminder to submit our Financial Disclosure forms by April 30<sup>th</sup>.

Mr. Mazza mentioned the following correspondence: None

Mrs. Dziubek mentioned the following correspondence:

- Mayor's Advisory re: Urging for Sharing the Burden of Property Assessment Appeal Refunds; asked the Committee to approve attached Sample Resolution.

### **RESOLUTION #2011-65 UNION TOWNSHIP, HUNTERDON COUNTY RESOLUTION SUPPORTING A-3412 SHARING THE BURDEN OF PROPERTY ASSESSMENT APPEAL REFUNDS**

**WHEREAS**, when County Tax Board appeals are granted the municipality must reimburse the property taxpayer 100% of the appealed tax levy, which includes the municipal, school, county and any special districts tax; and

**WHEREAS**, the municipal tax collector makes the adjustment from the appeal as a credit on the 4<sup>th</sup> quarter tax bill resulting in the municipality's fund balance for the preceding year to diminished, if not completely depleted; and

**WHEREAS**, a recent League of Municipalities' survey has measured the extent to which residents have filed and won tax appeals in 2010; and

**WHEREAS**, one hundred fifty (150 municipalities, representing all both large and small municipalities in all 21 counties, that participated in the survey reported property value declines of more than \$87,900,000 which resulted from 19,788 tax appeals filed in 2010; and

**WHEREAS**, those responding to the survey indicated that 13,760 appeals were filed in 2009, compared to 19,788 in 2010, representing an increase of 43.7%; and

*MINUTES OF REGULAR MEETING April 20, 2011*

**WHEREAS**, a municipality often experiences an increase in tax appeals because they have conducted a revaluation, however, only 5 of the 150 municipalities, which participated in our survey, indicated that their 2010 appeals resulted from revaluations; and

**WHEREAS**, as a way of comparison, 23 of the participating municipalities conducted revaluations in 2009, when fewer tax appeals were presented to the County Tax Boards; and

**WHEREAS**, the 2010 spike in appeals should be attributed to the economic down-turn, which lowered property values and placed increased stress on the income of homeowners, all around our Garden State; and

**WHEREAS**, the survey also indicated that in 2010 the various County Tax Boards have granted average property value reductions of close to \$5,000, per appeal; and

**WHEREAS**, fifty-six percent of those responding indicated that the successful tax appeals would have an impact on fund balances and place additional pressures on local officials during 2011; and

**WHEREAS**, although the survey was a snapshot picture in time, it can be used to project what might follow in 2011, since the reductions, which were granted by County Tax Boards in 2010, will have a multiplier effect when neighbors learn of their neighbor's tax reduction, which will likely increase the appeals and in the alternative, Tax Assessors could be forced to adjust property values, based upon the appeal information; and

**WHEREAS**, successful tax appeals have a three-fold negative impact on municipal budgets. First, the municipality, as the collector of taxes for the school district, county and special districts, must fund the full cost of the legal defense of the assessment. Second, since State law guarantees to the county and the school district 100% of their levies, the municipality bears the full cost of any reimbursements resulting from the appeal (as well as the full burden for any uncollected taxes). Third, the end result will be a further decline in the property tax base used to support Municipalities, County governments and School systems; and

**WHEREAS**, in light of the revenue limitations that have been placed on all levels of local government by the legislature (2% cap), such declining values will compound and add additional stress to local public officials, as they grapple with the issues confronting the tax paying public; and

**WHEREAS**, Assemblyman Carroll has recently introduced A-3412, which requires fire districts, school districts, and county governments to share in burden of property assessment appeal refunds;

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Union, Hunterdon County hereby urge the swift passage and signing of A-3412; and

**BE IF FURTHER RESOLVED**, that copies of this Resolution be forwarded to New Jersey Governor Christopher Christie, to Senate President Stephen Sweeney, to Assembly Speaker Sheila Oliver, to our State Senator Michael Doherty, Assemblyman John DeMaio, Assemblyman Erik Peterson, and to the New Jersey League of Municipalities.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

Mr. Bischoff mentioned the following correspondence:

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- Mayor's Advisory re: Current Federal Fiscal Year CDBG and Budget Deal Details.  
Grace Brennan to research further and advise Committee.

**PUBLIC COMMENTS****PUBLIC HEARING**

**ORDINANCE #2011-6**  
**UNION TOWNSHIP, HUNTERDON COUNTY**  
**CALENDAR YEAR 2011**  
**ORDINANCE TO ESTABLISH A CAP BANK**  
**(N.J.S.A. 40a:4-45.14)**

The following is the recorded vote to open Public Hearing on the above ordinance

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried by unanimous favorable vote

There being no questions/comments from the public, the following is the recorded vote to close the public hearing.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mrs. Dziubek			X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried by unanimous favorable vote.

The following is the recorded vote to adopt Ord. #2011-6 on 2<sup>nd</sup> reading.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

**RESOLUTION #2011-57**  
**UNION TOWNSHIP, HUNTERDON COUNTY**  
**Resolution Introducing by Title/Approving the 2011 Municipal Budget**

The following is the recorded vote to open Public Hearing on the above 2011 Budget Resolution

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
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Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried by unanimous favorable vote.

There being no questions/comments from the public, the following is the recorded vote to close the public hearing.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mrs. Dziubek			X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried by unanimous favorable vote.

The following is the recorded vote to adopt Resolution #2011-57 Municipal Budget on 2<sup>nd</sup> reading.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mrs. Dziubek			X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

## OLD BUSINESS

- a. **ORDINANCE #2011-8; RENEWABLE ENERGY ORDINANCE** - Tabled.
- b. **RESOLUTION #2011- ; APPROVING PAYMENTS FOR TAXES BY CREDIT CARDS** - Tabled

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride						X
Mr. Bischoff			X			

## ITEM ADDED TO THE AGENDA ORDER

- c. **Motion to Approve:** Motion for authorization of the Mayor and Clerk to sign the Maintenance Guarantee Agreement of \$267,151.98 pursuant to provisions of NJSA 40:55D-1 et seq. the developer shall pay for the

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close out inspection professional fees incurred by the municipality at the end of the maintenance period to be paid to the land use escrow account in accordance with procedures set forth in municipal land use law and code and subject to the terms and conditions of the Maintenance Guarantee.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

d. The following Resolution was introduced for adoption:

**RESOLUTION 2011- 66**  
**Re: Lookout Pointe Subdivision**  
**Block 11, Lot 8 – Rupell’s Road**  
**Toll Land IV, Limited Partnership / Toll Bros.**

**WHEREAS**, Toll Land IV Limited Partnership, a Limited Partnership owned by Wholly-owned subsidiaries of Toll Brothers., Inc., 250 Gibraltar Road, Horsham, Pennsylvania 19044 (the “developer”) and the Township of Union (“municipality”) entered into a performance guarantee agreement dated October 19, 2005 regarding the development known as Lookout Pointe, Block 11, Lot 8, Rupell’s Road, in the Township of Union; and

**WHEREAS**, said performance guarantee agreement provided for a total performance guarantee of \$2,137,279.80, including 10% cash in the amount of \$213,727.98 and a surety bond in the amount of \$1,923,551.82; and

**WHEREAS**, the developer posted said 10% cash and surety bond #4411481 issued by Quanta Indemnity Company, a corporation of the State of Colorado licensed to do business in the State of New Jersey in the above amounts; and

**WHEREAS**, said performance guarantee was subsequently reduced by resolution dated September 6, 2006, from a total of \$2,137,279.80 to at total of \$641,183.94, consisting of 10% cash in the amount of \$64,118.39 and performance bond #4411481 issued by Quanta Indemnity Company, in the amount of \$577,065.55; and

**WHEREAS**, Township Engineer Robert J. Clerico, P.E. has certified in a letter dated December 6, 2010 that his office has reviewed the installed improvements at the Lookout Pointe subdivision in accordance with the approved subdivision plan and finds that it should be satisfactory, and further recommends that the Township of Union accept the public roads and easement dedications subject to the following:

- 1) Adoption of an Ordinance accepting the Road Dedication and Easement Dedications.
- 2) Recording of Deeds of Roads and easement Dedication after approval of form of deeds by Township Attorney Peter Jost.
- 3) Posting of a Maintenance Guarantee in accordance with the Municipal Land Use Las 40.55D-53a.(2) in the amount of \$267,159.98 which represents 15 percent of the engineer’s cost estimate as prepared by Maser Consulting, PA dated December 22, 2004. Maintenance Guarantee to be for a period of two (2) years.
- 4) Developer should maintain an open escrow account during the maintenance period to cover any

inspection prior to release of the Maintenance Guarantee.

**WHEREAS**, Carl Hintz, P.P., has certified in writing that all plantings have been completed and are acceptable to the Township, and there are no outstanding landscaping issues that need to be completed prior to release of the performance bond; and

**WHEREAS**, the Hunterdon County Soil Conservation District has certified in writing that all permanent improvements have been installed as per the certified plan, all soil erosion and sediment control practices to date have been satisfactorily installed and stabilized such that the project is in compliance with the certified Soil Erosion and Sediment Control Plan, and the Hunterdon County Soil Conservation District has no objection to the granting of any further permits or approvals for the project; and

**WHEREAS**, Chief Financial Officer Grace M. Brennan has certified in writing that the developer, Toll Land IV, Limited Partnership/Toll Bros., has paid the following:

1. Off-tract contribution – Paid \$19,614.10;
2. COAH fees – Paid \$100,000.00 to Township's Affordable Housing Trust Fund;
3. Current escrow bills, including escrow deposit to cover the maintenance period; and
4. There are no snow plowing charges due to the Township; and

**WHEREAS**, the deeds of drainage easements, conservation easements, site easements and detention basin easement have been approved and duly recorded in the Hunterdon County Clerk's Office; and

**WHEREAS**, Toll Land IV, Limited Partnership/Toll Bros has posted a two (2) year Maintenance Surety Bond No. 58680426 in the amount of \$267,159.98; and

**WHEREAS**, the developer has executed a maintenance guarantee agreement in the proper form memorializing its responsibilities with regard to the maintenance period; and

**WHEREAS**, the developer has executed and delivered to the Township a recorded Deed of Dedication for the streets and roads of the subdivision, including widening of Rupell's Road and the right-of-way for Albert Drive, and a recorded Grant of Easements, including sign easements, drainage easements, sight triangle easements, conservation deed restricted easement, wetland transition area, tree easement, sight line easement, walkway easement, utility easement, and construction easement; and good cause appearing, and

**WHEREAS**, the Township has duly adopted an ordinance opening and accepting the above roads as Township roads and accepting the grant of the above described easements

**NOW, THEREFORE, BE IT RESOLVED**, by the Township Committee of the Township of Union, County of Hunterdon, State of New Jersey, that the above-described streets and roads of the Lookout Pointe subdivision shall be accepted by ordinance of the Township of Union into the municipal road system, subject however to the provisions of the maintenance guarantee agreement and the maintenance guarantee posted by the developer; and

**BE IT FURTHER RESOLVED**, that upon verification by the Union Township Chief Financial Officer that all escrow bills have been paid and sufficient escrow remains on deposit to cover the maintenance, the remaining performance guarantee of the developer, letter of credit No. 4411481 of Quanta Indemnity Company, in the amount of \$577,065.55 and the balance of the developer's 10% cash performance guarantee in the amount of \$64,118.39, shall be discharged and, the original surety bond and cash portion of the performance guarantee shall be released; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Attest:

Ella Malecki Ruta, Clerk

William F. Bischoff, Mayor

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

- a. **Motion to Approve:** 2011 Quarry License Renewal – Green Cycle of Hunterdon LLC. - Tabled

**NEW ORDINANCE – 1<sup>st</sup> Reading**  
**NEW BUSINESS**

- a. The following resolution was introduced for adoption:

**RESOLUTION #2011 - 67**  
**DEFERRED SCHOOL TAX**

WHEREAS, the provisions of C. 63, P.L. 1991 (The Supplemental Municipal Property Tax Relief Act) under Section 13 required municipalities whose school tax year is on a fiscal basis to defer twenty-five (25) per cent of the maximum allowable amount and anticipate it into their budget over a four (4) year period beginning in budget year 1991, and ending in budget year 1994 as additional Municipal surplus to offset the local property tax levy for local purposes; and

WHEREAS, the provisions of C. 63, P.L. 1991 were amended in calendar year 1993 that changed the mandatory provision of the use of this deferred school tax to a permissive provision; and

WHEREAS, the revised provisions for electing to utilize the deferred school tax require the governing body to make such election by introduction of the municipal budget.

NOW, THEREFORE, BE IT RESOLVED by the Township Committee of the Township of Union that election be made to defer school taxes as of December 31, 2010, and be reflected in the Annual Financial Statement for the year 2010 as follows:

	<u>FY-10-11 SCHOOL LEVY</u>	<u>MAXIMUM AMOUNT OF DEFER TAX</u>
Local District School Tax	\$9,435,048.00	\$4,717,524.00
Regional High School Tax	5,196,375.57	<u>2,598,187.78</u>
TOTAL MAXIMUM DEFER TAX		<u>\$7,315,711.78</u>
ACTUAL DEFERRED TAX 12/31/09		5,090,296.00
ACTUAL DEFERRED TAX 12/31/10		<u>5,440,296.00</u>
INCREASE IN DEFERRAL AT 12/31/10		\$ <u>350,000.00</u>



Date: April 20, 2011

Motion: Severino

Second: Mazza

Committee Polled-Ayes: Severino, Mazza, Dziubek, Bischoff - Absent: McBride

Attest:

\_\_\_\_\_  
Ella M. Ruta  
Clerk, Township of Union

\_\_\_\_\_  
William F. Bischoff, Mayor

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza		X	X			
Mrs. Dziubek			X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

b. The following resolution was introduced for adoption:

**RESOLUTION 2011 – 68**  
**RELEASE OF CASH PERFORMANCE BOND**  
**Block 27, Lot 8.02**  
**50 Cook's Cross Road**

**WHEREAS**, Amboy Bank/GS Realty Corp. posted a cash performance bond on February 23, 2011 in the amount of \$26,040.00 with the Township of Union, in connection with its request for the issuance of a temporary certificate of occupancy for the above property known as 50 Cooks Cross Road, Pittstown, New Jersey, being Block 27, Lot 8.02 on the Union Township Tax Map; and

**WHEREAS**, the purpose of the said cash performance bond was to guarantee installation of a driveway apron and dry well/drainage system for above property; and

**WHEREAS**, Amboy Bank has now advised that it will install the aforementioned improvements prior to applying for a certificate of occupancy from the Township, and has requested the return of the performance guarantee in the \$26,040; and good cause appearing

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, in the County of Hunterdon, State of New Jersey, that the above cash performance guarantee in the amount of \$26,040.00 shall be refunded by the Chief Financial Officer to Amboy Bank; and

**BE IT FURTHER RESOLVED** that no certificate of occupancy, permanent or temporary, shall be issued for the above property until the said driveway apron and drywell/drainage improvements have been completed, inspected and approved by the Township Engineer.

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Attest:

TOWNSHIP OF UNION

\_\_\_\_\_  
Ella M. Ruta, Clerk\_\_\_\_\_  
William F. Bischoff, Mayor

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried subject to current escrow.

c. The following resolution was introduced for adoption:

**RESOLUTION #2011-69**  
**AMENDING PERSONNEL POLICIES AND**  
**PROCEDURES MANUAL RE: LONGEVITY PLAN**

**WHEREAS**, on April 21, 2010, the Union Township Committee amended Section 4.13, Longevity Plan, of the Union Township Personnel Policies and Procedures Manual, to provide that longevity pay shall apply only to full-time employees who were hired before April 21, 2010, thereby eliminating longevity pay for new hires after April 21, 2010; and

**WHEREAS**, the Township Committee has determined that longevity pay for existing employees is no longer economically sustainable and that the longevity plan contained in 4.13 shall be discontinued as it applies employees hired prior to April 21, 2010 and good cause appearing; and

**NOW THEREFORE BE IT RESOLVED** that the Township Committee of Union Township, County of Hunterdon, State of New Jersey that Section 4.13, Longevity Plan, of the Union Township Personnel Policies and Procedures Manual and the Union Township Employee Manual shall be, and is hereby deleted and repealed, and longevity pay shall be accordingly discontinued for all employees; and

**BE IT FURTHER RESOLVED** that the repeal of Section 4.13 of the Personnel Manual and the discontinuance of longevity pay shall take effect as of January 1, 2012; and

**BE IT FURTHER RESOLVED** that full-time Township employees hired prior to April 21, 2010, and who were validly receiving longevity pay prior to January 1, 2012, shall receive longevity pay for the calendar year 2011, and the amount of such longevity pay validly received in 2011 shall be included in calculating the base pay of such employees for the year 2012 and subsequent years; and

**BE IT FURTHER RESOLVED** that this resolution shall take effect immediately.

Attest:

\_\_\_\_\_  
Ella Malecki Ruta, Clerk\_\_\_\_\_  
William F. Bischoff, Mayor

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			

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Ms. McBride						X
Mr. Bischoff			X			

Motion carried

**Motion to Approve:** Contract for Collection of Metal Scrap 4/01/11 - 12/31/11 – DONJON Recycling

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino		X	X			
Mr. Mazza			X			
Mrs. Dziubek	X		X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried subject to Attorney review.

- d. **Motion to Approve:** Mobile Vending License for Mobile Food Vending (Shaved Ice) – Thomas Obiedzinski Tabled.

## REPORTS

**Attorney's Report** – Mr. Jost reported the following:

All covered.

## Mayor's Report

- Quote “It is not the critic who counts; not the man who points out how the strong man stumbles, or where the doer of deeds could have done them better. The credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly; who errs, who comes short again and again, because there is no effort without error and shortcoming; but who does actually strive to do the deeds; who knows great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least he fails while daring greatly, so that his place shall never be with those cold and timid souls who neither know victory nor defeat.” Theodore Roosevelt, April 23, 1910.
- List of budget ideas for 2012:
  - Longevity pay
  - Change title of the Road Dept to the Department of Public Works and provide a written description of duties and responsibilities. Mrs. Dziubek will begin working on it.
- Stone Arch driveway – The Zoning Officer found a plan from the archives showing that it was going to be a road and it was not a road and now it is a driveway and we do not know who owns it. Is there a permit for resurfacing a driveway. Ordinance will be reviewed by the Engineer.
- Met with Lt. Butler of the State Police with regard to our Code Enforcement Officer. Had a prior conversation with Mayor Peck of Bloomsbury on the same topic. Mr. Bischoff gave an overview of how the Code Enforcement Official position could function with the State Police and the Court. Committee discussion followed.
- Mr. Clerico clarified the re-paving ordinance as it pertains to Stone Arch. The driveway at Stone Arch is on a County road and the Union Township Ordinance does not apply. County needs to issue the permit.

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- Census 2010 – from the County. Crystal Barnes from the County will breakdown the Prison and Developmental Center counts since we need that information because we use those numbers in different ways.
- Meeting re: Moving the Historical Society Museum. Met with several members of the Historical Society to discuss moving the Historical Society Museum to downstairs in the Municipal Building. They are in favor of it, but need to get the approval of the Society. Reminded them that they need to be cognizant of the room used for general elections. Historical Society will be surveying their historical signs in the Township and asked if the Township would consider replacing older signs with new ones and/or repainting as necessary.

**Committee Report**Mr. Severino reported the following:

- Metal scrap container will be here and in place in a week.
- Dunkin Donuts illegal truck parking on Rt.173. Met with the manager of Exxon and Dunkin Donuts. Discussed deterrents to trucks illegally parking on the road. The manager suggested a two-post picket fence along that area in hopes of deterring the trucks from parking. If fence does not work, they will replace it with boulders.

Mr. Mazza reported the following:

- Electronic recycling moved to dumpster with assistance from Road Dept.
- Update on Gano Road. Discussed next steps now that weather is improving.

Mrs. Dziubek reported the following:

- Server migration done with email.
- Consider paving the Municipal Building parking lot. Engineer will give recommendations. Give consideration for maintenance to the Municipal Building outside dormers, soffits and wood trim.
- Farmland preservation – Mr. Stiger is the contact and he is doing the inventory.

**Clerk's Report**

- All Township records identified and approved by the State Division of Archives and Records Management for destruction were shredded on Monday, April 18<sup>th</sup>. This was the final step to the Paris Grant project managed by Hunterdon County.

**PUBLIC COMMENTS - None****PAYMENT OF THE BILLS**

The approved list of bills and all claims against the Township of Union as appearing in the Claims Register of this date be paid and that all checks listed hereinafter be issued in payment thereof.

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Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza	X		X			
Mrs. Dziubek		X	X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

## EXECUTIVE SESSION

The following resolution was introduced for adoption:

### RESOLUTION 2011-70

#### Providing for a Meeting Not Open to the Public in Accordance with the Provisions of the New Jersey Open Public Meetings Act, N.J.S.A. 10:4-12

**WHEREAS**, the Township Committee of the Township of Union is subject to certain requirements of the *Open Public Meetings Act*, N.J.S.A. 10:4-6, et. seq.; and

**WHEREAS**, the *Open Public Meetings Act*, N.J.S.A. 10-4-12, provides that an Executive Session, not open to the public, may be held for certain specified purposes when authorized by Resolution; and

**WHEREAS**, it is necessary for the Township Committee of the Township of Union to discuss in a session not open to the public certain matters relating to the item or items authorized by N.J.S.A. 10:4-12b and designated below:

1. \_\_\_\_\_ *Matters Relating to Litigation, Negotiations and the Attorney-Client Privilege:* Any pending or anticipated litigation or contract negotiation in which the public body is, or may become a party. Any matters falling within the attorney-client privilege, to the extent that confidentiality is required in order for the attorney to exercise his ethical duties as a lawyer.
2. \_\_\_\_\_ *Matters Relating to the Employment Relationship:* Any matter involving the employment, appointment, termination of employment, terms and conditions of employment, evaluation of the performance of promotion or disciplining of any specific prospective public officer or employee or current public officer or employee employed or appointed by the public body, unless all the individual employees or appointees whose rights could be adversely affected request in writing that such matter or matters be discussed at a public meeting.

**NOW, THEREFORE, BE IT RESOLVED** by the Township Committee of the Township of Union, assembled in Executive session on April 20, 2011, at 8:42 p.m. in the Union Township Municipal Building, 140 Perryville Road, Hampton, New Jersey, for the discussion of matters relating to the specific items designated above.

It is anticipated that the deliberations conducted in closed session may be disclosed to the public upon the determination of the Township Committee that the public interest will no longer be served by such confidentiality.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino			X			
Mr. Mazza		X	X			
Mrs. Dziubek	X		X			
Ms. McBride						X

## MINUTES OF REGULAR MEETING April 20, 2011

Mr. Bischoff			X			
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Motion carried

At about 9:22 p.m. the Committee came out of Executive Session

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride						X
Mr. Bischoff			X			

Motion carried

After coming out of the Executive Session, the following action was taken by the Township Committee:

Motion to Approve: Authorizing the Mayor to send a letter to the County Freeholders regarding the Green Cycle Class B Recycling Application, Frontage Road preferably to be read before the Board of Freeholders to reflect Committee's position discussed in Executive Session.

Voice Vote	Moved	Seconded	Ayes	Nays	Abstain	Absent
Mr. Severino	X		X			
Mr. Mazza			X			
Mrs. Dziubek		X	X			
Ms. McBride						X
Mr. Bischoff			X			

**ADJOURNMENT** - There being no further business to come before the Township Committee at this time, Mr. Severino made a motion to adjourn. Mrs. Dziubek seconded the motion. Motion carried by unanimous favorable roll call vote.

Meeting adjourned at approximately 9:25 p.m.

Respectfully submitted,

Ella M. Ruta, RMC, Twp. Clerk  
By Pat Essig, Administrative Assistant

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William F. Bischoff, Mayor